

REMARKS/ARGUMENTS

Interview

Applicants thank the Examiner for his courtesy and consideration in considering the certain amendments, and discussing this Application in a brief telephone interview on November 15, 2006. Because interviews after final are discretionary, Applicants especially appreciate the opportunity.

The claims were discussed in light of the 35 U.S.C. §101 rejection, and possible amendments were addressed as well. An agreement was reached, as the Examiner agreed that the above amendments would overcome the §101 rejection, and that they would be entered.

Amendments

Before this amendment, claims 5, 23, 39, 50, 63, 81 and 94-170 were present for examination. Claims 5, 39, 63, and 81 are amended, but no claims are added or canceled. Thus, claims 5, 23, 39, 50, 63, 81 and 94-170 remain present for examination. Applicant notes with appreciation that claims 23, 50, 108-119 and 133-144 are allowed. Claims 5, 23, 39, 50, 63, and 81 are the independent claims.

The Office Action dated September 15, 2006 ("Office Action") rejected independent claims 5, 39, 63, and 81 under 35 U.S.C. §101 asserting that the claimed invention is directed to non-statutory subject matter. (Note that the Office Action also rejected their dependents, claims 94-106, 120-131, and 145-170 under the same rationale). Reconsideration is respectfully requested in light of the following amendments

35 U.S.C. §101

Independent claims 5, 39, 63, and 81 are the remaining unallowed independent claims, and as noted above are rejected under 35 U.S.C. §101. The claims are amended to address the 35 U.S.C. §101, and support for the amendments may be found in the Specification (Original Application, p. 5, ll. 21-23; p. 11, l. 5 - p. 12 l. 7; p. 13, l. 29 - p. 14, l. 2; p. 15, ll. 11-18).

Appl. No. 09/934,299
Amdt. dated November 17, 2006
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 2611

PATENT

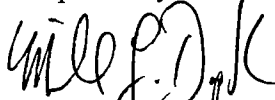
Because the §101 rejections have been addressed, it is respectfully submitted that independent claims 5, 39, 63, and 81 are allowable. Claims 94-106, 120-131, and 145-170 each depend from these independent claims, and these claims are believed allowable for at least the same reasons as given above. Applicants, therefore, respectfully request that the rejections under 35 U.S.C. 101 be withdrawn.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,


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